

1 **LAW OFFICE OF PETER BORENSTEIN**

Peter Borenstein (SBN 304266)

2 P.O. Box 885

3 Culver City, CA 90232

(213) 362-8740 (tel)

4 (877) 460-3681 (fax)

5 peter@brnstn.org

6 Attorney for Nonparty Movant

7 JOHN DOE

8
9 **UNITED STATES DISTRICT COURT**
10 **NORTHERN DISTRICT OF CALIFORNIA**

11
12 DANIEL LEE MAYCOCK

13 Plaintiff,

14
15 v.

16
17 CLOUDFLARE, INC.

18 Defendant.

Case No. 3:24-cv-07102-JD

**DECLARATION OF JOHN DOE IN
SUPPORT OF JOHN DOE'S MOTION TO
QUASH SUBPOENA ISSUED TO
DEFENDANT CLOUDFLARE, INC.**

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1 I, JOHN DOE, declare:

2 1. I am the Nonparty Movant in the above-entitled action. I make this declaration in support
3 of my Motion to Quash Subpoena Issued to Cloudflare, Inc. I have personal knowledge of the
4 matters set forth in this declaration.

5 2. I make this declaration pseudonymously for my own safety; because I wish to protect my
6 rights to free speech and anonymity; and to avoid mooted the issue for which I have brought
7 this motion. In order to further protect my anonymity, there are details about my background and
8 experience as an internet journalist that I do not include in this declaration. A true and correct
9 copy of my actual signature for this document resides with my attorney in the United States,
10 Peter Borenstein.

11 3. I am a citizen of the United Kingdom and a resident of Tamworth, a small English town
12 outside of Birmingham with a population of 78,000 people.

13 4. I started the website debunkingtamworth.com (hereinafter “the Site”) in 2022 to report
14 on local politics in Tamworth and to combat misinformation circulating in our local Facebook
15 groups.

16 5. The Site is published in blog format. Contributors post to the Site anonymously to
17 encourage free expression of ideas and opinions about the local Tamworth political scene
18 without fear of reprisals.

19 6. In particular, we seek to hold our elected officials accountable by exposing their
20 misconduct and bringing important local issues to light that might otherwise be suppressed or
21 distorted by other media outlets.

22 7. Though our blog posts can be controversial, they are rigorously fact-checked and
23 published in good faith.

24 8. Our readers have two options to provide feedback on the Site’s posts: They can either fill
25 out an online form or send an email to admin@debunkingtamworth.com.

26 9. We only rarely receive requests to take content off the Site. Though we take such
27 takedown requests seriously, they are usually just empty (and angry) threats made by the
28 aggrieved subjects of our reporting.

1 10. By October 2023, the Site was receiving 3,000 unique visitors a month, outpacing the
2 circulation of our local newspaper *The Tamworth Herald*.

3 11. On October 21, 2023, I posted the article that seems to have offended Plaintiff Daniel
4 Lee Maycock. At the time, Mr. Maycock was an elected member of our Borough Council and
5 Deputy Mayor of Tamworth.

6 12. The October 2023 blog post did not receive much attention and I quickly forgot about it.

7 13. Nearly a year later in September 2024, Mr. Maycock submitted an abuse report to
8 Defendant Cloudflare, Inc., an internet service provider we use to enhance the privacy and
9 security of the Site, regarding the October 2023 blog post and seeking to learn the author's
10 identity. Cloudflare alerted me of the abuse report shortly thereafter.

11 14. Mr. Maycock did not contact the Site or submit a takedown request for the October 2023
12 blog post before filing the abuse report with Cloudflare. In fact, we never heard anything from
13 him about the post until Cloudflare informed us about his September 2024 abuse report.

14 15. On September 25, 2024, Mr. Maycock sent a "Pre-Action Letter of Claim" to
15 admin@debunkintamworth.com wherein he claimed for the first time that the October 2023 blog
16 post was defamatory and demanded the content be taken off the Site.

17 16. Mr. Maycock indicated in his letter that "I am taking steps to discover the operators of
18 [the Site] through the High Court of Justice via a Norwich Pharmacal Order and through legal
19 action in the United States Courts to compel Cloudflare to disclose the identity of the [the Site's]
20 operators."

21 17. This was the first and only time that the Site has ever been threatened with legal action
22 regarding one of our blog posts.

23 18. To date, Mr. Maycock has not filed a defamation lawsuit in the UK.

24 19. On October 10, 2024, Mr. Maycock filed this action seeking assistance from a foreign
25 Court to compel Cloudflare to disclose my identity.

26 20. Mr. Maycock's attempts to unmask the author of the October 2023 blog post have
27 become increasingly unhinged, to the point where on December 23, 2024 he lied in a stipulation
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1 filed with this Court that defamation proceedings are ongoing in the UK so that a subpoena
2 would issue from this Court before Cloudflare even answered his complaint. (Dkt. 14 at p. 2.)

3 21. I believe that Mr. Maycock never intended to pursue legal action in our home country.
4 Instead, he will only use the information he seeks here to threaten me, my family, and other
5 contributors to the Site.

6 22. I believe that Mr. Maycock only filed this action after he discovered that he was beyond
7 the statute of limitations for his defamation claim in the UK.

8 23. Cloudflare notified me of this action after the subpoena issued on January 2, 2025.

9 24. As a result, I was left with no choice but to retain American counsel at great expense to
10 contest the subpoena and protect my anonymity in a foreign court.

11 25. If my identity is revealed, I fear for my physical safety at the hands of Mr. Maycock and
12 others who may have a grievance with the Site's reporting over the years.

13 26. Exposing my identity would harm my ability to continue operating the Site, report on
14 Tamworth's local politics, and combat misinformation online regarding our elected officials.
15 Subject to the outcome of this litigation, I am intimidated to ever engage in blogging or other
16 journalism again, and I am indefinitely deterred from doing so, for fear of retribution and
17 harassment by those individuals like Mr. Maycock, whose misconduct the Site attempts to
18 expose responsibly, following adequate investigation, and in good faith.

19
20 I declare under penalty of perjury under the laws of the United States of America that the
21 foregoing is true and correct and that I executed this declaration on January 28, 2025.

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24 By: /s/ John Doe

25 John Doe
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